

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*All Cases Noted on Attached Exhibit*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**FIFTH MASTER STIPULATION AND [PROPOSED] ORDER  
DISMISSING WITH PREJUDICE CLAIMS  
PURSUANT TO NATIONAL SETTLEMENT AGREEMENTS**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc. (collectively and together with their Released Entities, the “Janssen Defendants”<sup>1</sup>) that, pursuant to the election of each Dismissing Plaintiff to participate in the Janssen Settlement Agreement, which was announced on July 21, 2021 and is now dated March 11, 2022, which is binding on the Dismissing Plaintiffs and the Janssen Defendants, and which has an Effective Date of April 2, 2022 (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against any Janssen Defendant, including any entity identified on the attached

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<sup>1</sup> The Released Entities are each and every entity of any of the Janssen Defendants that is a “Released Entity” as set forth in Section I.61 and Exhibit J of the Janssen Settlement Agreement, dated as of March 30, 2022, a copy of which is attached as Appendix B. Appendix C, also attached hereto, represents a good faith effort by the Janssen Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Janssen Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

Appendix C, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Janssen Settlement Agreement to the extent provided under that Agreement.

May 17, 2022

Respectfully submitted,

Agreed as to form and substance:

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Johnson, Janssen Pharmaceutica, Inc.  
n/k/a Janssen Pharmaceuticals, Inc., and  
Ortho-McNeil-Janssen Pharmaceuticals,  
Inc. n/k/a Janssen Pharmaceuticals, Inc.*

SO ORDERED this \_\_\_ day of May, 2022.

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Hon. Dan Aaron Polster  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger